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DAC

Attorney Docket No. 39-1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: In-Sung Park et al.

Group Art Unit: 2818

Serial No.: 10/769,929

Examiner: To Be Assigned

Filed: February 2, 2004

Confirmation No.: 9610

For: METHODS AND APPARATUS FOR FORMING DIELECTRIC STRUCTURES IN INTEGRATED CIRCUITS

Date: May 7, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of February 2, 2004 rather than February 3, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of February 2, 2004 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

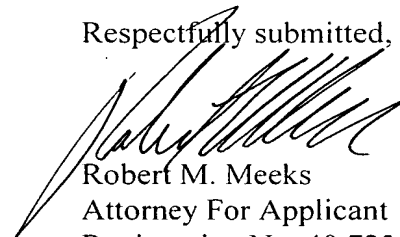
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page ([www.usps.com](http://www.usps.com)), showing "acceptance" or deposit date with the USPS at 5:55 p.m. on February 2, 2004; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of February 3, 2004 instead of the Express Mail date of February 2, 2004.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of February 2, 2004 as the filing date pursuant to 37 CFR § 1.10.

In re: Jang-won Moon et al.  
Serial No.: 10/715,015  
Filed: November 17, 2003  
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Robert M. Meeks  
Attorney For Applicant  
Registration No. 40,723

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 7, 2004.

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Candi L. Riggs



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1230

DATE: February 2, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: \_\_\_\_\_; filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference in its entirety.  
☐ and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

**In-Sung Park – Seoul, Republic of Korea**  
**Ki-Vin Im – Gyeonggi-do, Republic of Korea**  
**Ki-Yeon Park – Gyeonggi-do, Republic of Korea**  
**Jae-Hyun Yeo – Seoul, Republic of Korea**  
**Yun-Jung Lee – Seoul, Republic of Korea**

Entitled: **METHODS AND APPARATUS FOR FORMING DIELECTRIC STRUCTURES IN INTEGRATED CIRCUITS**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 17 pages of Specification (including 20 claims)
3. ☒ 3 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☒ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 1 reference cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
  - a. ☐ computer readable copy
  - b. ☐ paper copy
  - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventors(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	20 - 20 =	0	x 09 = \$	x 18 = \$ 0
INDEP CLAIMS	4 - 3 =	1	x 43 = \$	x 86 = \$ 86.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$856.00

- ☐ A check in the amount of \$ to cover the filing fee is enclosed.
- ☒ A check in the amount of \$896.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
  - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

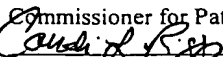
Grant J. Scott  
Registration No. 40,723

#### CERTIFICATE OF EXPRESS MAILING

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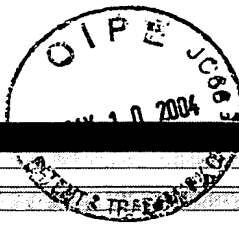
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5649-1230  
February 2, 2004

Mail Stop Patent Application  
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Sir: Kindly acknowledge receipt of the accompanying by placing your  
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Utility Patent Application Transmittal Letter and Fee Transmittal Form (in  
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Declaration and Power of Attorney; Assignment Recordation Form Cover Sheet;  
Assignment; Submittal of Priority Document; Certified Copy of Korean Appl. No.  
10-2003-0006513; Information Disclosure Statement; Form PTO-1449; Copy of 1  
Cited Reference; Check for \$896.00; In re: In-Sun Park et al.; For: METHODS  
AND APPARATUS FOR FORMING DIELECTRIC STRUCTURES IN  
INTEGRATED CIRCUITS

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC

02-11-04 A09:31 IN

031356 U.S. PTO  
GJS:clr 10/769929

5649-1230  
February 2, 2004



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duplicate); Specification (17 pages – 20 claims); Drawings (3 sheets – Figures 1-5);  
Declaration and Power of Attorney; Assignment Recordation Form Cover Sheet;  
Assignment; Submittal of Priority Document; Certified Copy of Korean Appl. No.  
10-2003-0006513; Information Disclosure Statement; Form PTO-1449; Copy of 1  
Cited Reference; Check for \$896.00; In re: In-Sun Park et al.; For: METHODS  
AND APPARATUS FOR FORMING DIELECTRIC STRUCTURES IN  
INTEGRATED CIRCUITS

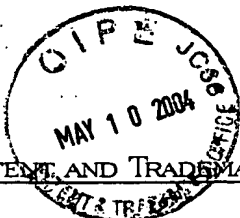
Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC



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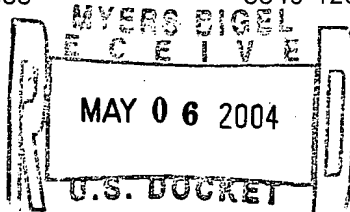
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/769,929	02/03/2004	2818	856	5649-1230	3	20	4

Robert M. Meeks  
 Myers Bigel Sibley & Sajovee  
 Post Office Box 37428  
 Raleigh, NC 27627



CONFIRMATION NO. 9610

## FILING RECEIPT



\*OC000000012502153\*

Date Mailed: 05/03/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

In-Sung Park, Seoul, KOREA, REPUBLIC OF;  
 Ki-Vin Im, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Ki-Yeon Park, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Jae-Hyun Yeo, Seoul, KOREA, REPUBLIC OF;  
 Yun-Jung Lee, Seoul, KOREA, REPUBLIC OF;

## Domestic Priority data as claimed by applicant

## Foreign Applications

REPUBLIC OF KOREA 2003-6513 02/03/2003

If Required, Foreign Filing License Granted: 04/30/2004

Projected Publication Date: 08/12/2004

Non-Publication Request: No

05-05-04 A09:21 IN

Early Publication Request: No

## Title

Methods and apparatus for forming dielectric structures in integrated circuits

**Preliminary Class**

438

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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